

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

IBG LLC,
INTERACTIVE BROKERS LLC,
TRADESTATION GROUP, INC.,
TRADESTATION SECURITIES, INC., and
Petitioners

v.

TRADING TECHNOLOGIES INTERNATIONAL, INC.,
Patent Owner

Case CBM2016-00054
Patent 7,693,768

PETITIONERS' MOTION TO SEAL

Mail Stop "PATENT BOARD"
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I. RELIEF REQUESTED

Petitioners respectfully request that the Board maintain as confidential and under seal the entirety of Exhibits 1063 and 1064 – the deposition transcripts of Christopher H. Thomas which were marked confidential by TT.

II. GOOD CAUSE EXISTS FOR SEALING THIS CONFIDENTIAL INFORMATION.

The Board may issue this order “for good cause.” 37 C.F.R. § 42.54. For good cause, the Board needs to know why information sought to be sealed constitutes confidential information. *Garmin Int’l, Inc. v. Cuozzo Speed Techs. LLC*, IPR2012-00001, Paper 36, Decision on Revised Mot. to Seal, p. 4 (P.T.A.B. Apr. 5, 2013). The Board then balances the needs in protecting the information against the public’s interest in maintaining a complete and understandable file history. *Id.* at 8.

During the depositions of Mr. Thomas, TT requested that the entirety of the deposition transcripts of Mr. Thomas be designated as Confidential pursuant to the Protective Order. Petitioners agreed. In light of the agreement of the parties, Petitioners respectfully request that Exhibits 1063 and 1064 remain under seal until this Board has ruled otherwise.

To the best of Petitioners’ knowledge, the documents sought to be protected have not been made publically available.

It is therefore respectfully requested that the Board issue an Order regarding the confidentiality of Exhibits 1063 and 1064.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Date: April 24, 2017

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CERTIFICATION OF SERVICE

The undersigned hereby certifies that true and correct copies of the above-captioned **MOTION TO SEAL** served electronically via e-mail in its entirety on April 24, 2017, upon the following counsel for Patent Owner:

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